

REMARKS

Claims 7-10 and 14-16 are pending in this application.

Claims 7-10 and 14-16 are rejected.

In view of the Appeal Brief filed 1 October 2009, prosecution has been reopened.

The latest office action, dated 18 December 2009, is made final. The final office action indicates that the drawings are objected to for not showing an engine.

This objection has been overcome by replacement sheet 2/2, which includes an amended Figure 5. Figure 5 has been amended to show an engine of a rotary aircraft. An engine is inherent in a rotary aircraft. Therefore, no new subject matter has been added to Figure 5.

The latest final office action also asserts that the rejections under section 102 and 103 are based on new grounds.

(a) The '102 rejection of claims 7, 9 and 15 is identical to the '102 rejection made in the final office action dated April 1, 2009.

(b) The '103 rejection of claims 7, 9 and 14-16 in view of Yokel and Ovshinsky is identical to the '103 rejection made in the final office action dated April 1, 2009. The only difference is that claim 10 is no longer rejected in view of Yokel and Ovshinsky.

(c) The '103 rejection of claim 10 is based on new grounds. Claim 10 is now rejected under section 103 as being unpatentable over Stone in view of Ovshinsky. In the final office action dated April 1, 2009, claim 10 was rejected over Yokel in view of Ovshinsky and Stone.

A new appeal will be initiated by filing a notice of appeal and appeal brief. The previously paid fees for the notice and appeal brief will be applied to the new appeal.

Entry of new sheet 2/2 is respectfully requested.

Respectfully submitted,

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